

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

ELLIOTT INDUSTRIES LIMITED
PARTNERSHIP, a New Mexico
Limited Partnership,

Plaintiff,

vs.

Civ. No. 00-655 LH/WWD (ACE)

CONOCO INC., a Delaware
corporation, AMOCO PRODUCTION
COMPANY a Delaware corporation,
and AMOCO ENERGY TRADING
CORP., a Delaware corporation,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Class' Renewed Motion and Supporting Memorandum for Sanctions Against Defendant Conoco [docket no. 468] filed August 2, 2002. An evidentiary hearing was held on the motion on September 17, 2002. Before the hearing was completed, the Court recessed, and counsel conferred. Counsel reached an agreement to enter into a stipulation which was recited into the record at the reconvened hearing. Certain production was to be made by Conoco and certain matters were left to be negotiated by the parties. I have reviewed the stipulation, and I will approve it and make the operative parts of it an order of the Court. Additionally , the motion before the Court would be denied without prejudice.

WHEREFORE,

IT IS ORDERED that provisions of the abovementioned stipulation of the parties regarding scheduling and discovery are adopted by the Court and are made an Order of the Court.

IT IS FURTHER ORDERED that Class' Renewed Motion for Sanctions Against Defendant Conoco be, and it is hereby, DENIED WITHOUT PREJUDICE.


UNITED STATES MAGISTRATE JUDGE